

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2017/4302/P	Nicholas Saphir	11 Johns Mews London WC1N 2PA	13/09/2017 17:05:44	OBJLETT ER	<p>Objection to planning application 2017/4302/P Ref 13-15 Johns Mews, WC1N 2PA</p> <p>Objectors: Ena and Nicholas Saphir 11 Johns Mews London WC1N 2PA</p> <p>We are the owners of 11 Johns Mews, which adjoins the properties 13-15 Johns Mews for which the above planning application has been made. 11 Johns Mews and 13 Johns Mews are fully attached for their total East - West depth by a structural party wall. Our objections are itemised below:</p> <p>1. Process</p> <p>The legal requirement for planning applications to be made publically available to consultation depends on interested and potentially effected parties knowing of the application in sufficient time to prepare and submit objections. We are aware that Camden Council decided to cease directly informing potentially interested parties, including neighbours, on the grounds of cost. This places even more necessity for effectively ensuring that such notices required by law are displayed to ensure reasonable public awareness of the application.</p> <p>In the case of the planning application under consideration the notice was attached to a lamppost on Johns Mews outside the building, but directly replaced the old notice 2014/3330/P. The 2014 notice had been left in place since that planning had been granted. Therefore it was not reasonably displayed, as at best it failed to recognise the fact that for most passers-by, including the neighbours, it was not obvious that a new application had been made. It is maintained that the applicant failed in their responsibility by not removing the original notice in due time so that the new notice would be reasonably likely to bring the planning application to the attention of interested parties.</p> <p>Consequently, as we were unaware of the new application until yesterday, we have not had the requisite time to consult with professional advisers on what is a very complex application and one which fundamentally could effect the very foundations of our house as well as our right to the enjoyment of our property in both the short and long term.</p> <p>We maintain that the due process of ensuring that planning applications are reasonably made known to potentially interested parties has not been carried out to a reasonable level and within the requirements of the regulations. We also maintain that consequently we have been denied the opportunity to consult with professional advisers.</p> <p>We therefore submit that there has been a failure to comply with the required process of providing reasonable public notice in regard to the application and that a new application or amended application be made and due notice be appropriately displayed.</p> <p>2. General</p> <p>To ensure that this objection is filed before the current deadline we wish to confirm that we support all of the objections submitted by Richard Morgan & Monica Coombs and filed on your website. The following detailed objections are specifically additional concerns in</p>

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regard to the effect that this application would directly have on 11 Johns Mews.

3. Basement

The construction of the proposed basement fails to provide adequate details to ensure that the excavation and construction of the proposed basement would not fundamentally harm our property.

The Applicant puts forward a Building Impact Assessment from Chelmer Consultancy Services dated July 2017 ("the BIA") with calculations for the proposed development. The drawings clearly indicate that they do not understand the nature of the party wall or boundary and the fundamental importance of providing for a basement structure that will ensure the future structural integrity of 11 Johns Mews. The drawings includes an 'assumed' party wall line, but fail to recognise that the party wall is a double brick conjoined construction rather than a single brick wall structure. Any proposed construction has to address the existing structure and ensure that 11 Johns Mews is ensured structural stability and adequacy during and following the excavations and development.

It is maintained that the applicants have failed to satisfy the need to ensure that 11 Johns Mews, as a neighbouring property, will not be structurally adversely affected by the proposed basement development.

The application states that it includes only minor changes to the previous application. However, in regard to the party wall structural issues the new application fails to recognise the change in use, density of occupation and subsequent additional loads to which the new structure will be subjected and the consequent risk to 11 Johns Mews.

Following the previous application the applicant requested that we both appoint independent surveyors to develop a party wall agreement. The applicant terminated the negotiation following considerable work by the appointed party wall experts. During the negotiation various views were expressed by the applicant's surveyor and other professional experts that stated that this would be a very difficult and risky excavation. We maintain that this application fails to provide sufficient evidence that excavating the proposed basement, which will extend for the total length of our shared structural party wall, would not fundamentally put at risk the structural integrity of 11 Johns Mews.

Accordingly this application fails to satisfy Camden's policy for basement developments.

4. 3rd floor and mansard

The drawings do not represent the correct actual party wall structure and the boundaries of the buildings nor do they consistently present the boundary, party wall and structural interdependence of 13 Johns Mews and 11 Johns Mews in the proposed basement drawings, supportive documents and "assumptions".

The previous party wall discussions requested by the applicant following the last planning application clearly established the nature of the party wall and its dependence on a double brick construction. Any proposed additional floor to 13 Johns Mews would require an extension to 13 Johns Mews existing side of the party wall rather than seemingly depend on the 11 Johns Mews side of the existing construction to support the extension.

In addition the drawings as presented define the limit to the proposed mansard wall facing the Mews as the existing adjoining wall to the top floor of 11 Johns Mews. In fact a correct

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					<p>representation of the façade drawings would show the proposed mansard extension and its north facing wall extending past the existing adjoining structure. This extension will therefore block southern light to the balcony and top floor living room of 11 Johns Mews and directly affect our right to light.</p> <p>The Mansard windows appear in the façade drawings as Georgian style windows, but in the plans appear as single pane opening apertures on to a balustrade that could provide a direct line of view to the existing balcony at 11 Johns Mews.</p> <p>This objection, similar to that relating to the basement, is based on the additional floor being proposed with drawings that incorrectly present and fail to address the structural risk to 11 Johns Mews. Following the previous planning consent and subsequent difficulties in negotiating a satisfactory party wall agreement to provide for a structural safeguarding of 11 John Mews, we know that agreement subsequent to any planning permission would prove to be very difficult.</p> <p>We therefore request that if the Planning Committee is mindful to agree this planning application, it should require correct drawings that represent the actually nature, position and size of the party wall and a satisfactory detailed proposal to deal with any structural and other issues be presented before granting permission, rather than the granting of permission with a condition subsequent regarding the party wall.</p> <p>In addition we object to the additional proposed floor on the basis that the proposed mansard roof and windows project further than the current building line with 11 Johns Mews and therefore interfere with our right to light, privacy and enjoyment of our property.</p> <p>You will note many of our objections are based on drawings and structural proposals that require professional interpretation. Therefore we are uncertain whether there are other objections we would wish to make following professional advice.</p> <p>Ena and Nicholas Saphir 13th September 2017 (mobile: 07767 246610)</p>
